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DEPARTMENT OF STATE

ACTION MEMORANDUM

S/S

April 11, 1978

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TO: The Secretary

FROM: H - Douglas J. Bennet, Jr

SUBJECT: SFRC Request for Consultations Prior to the Submission of the Middle East Arms Package

ISSUE FOR DECISION

How to respond to an SFRC request that you consult with the Committee prior to the submission of the Middle East arms package.

ESSENTIAL FACTORS

During the SFRC business session today Senator Javits reminded the Committee that during an earlier session you had made a commitment to discuss the Middle East arms package with the Committee before sending the formal notification. He noted that you had not asked to be excused from this commitment. Discussion ensued about your trip and your offer to send a representative to the Committee in your stead. Your offer to withhold the submission of the formal notification until the week of April 24 was mentioned and Senator Stone indicated that you could consult with the Committee upon your return on April 28, since that would only mean a delay of a few days. Chairman Sparkman agreed to take the matter up with you and we have been contacted by the SFRC staff for this purpose. (A full report of the Committee's discussion of this matter is at TAB 2.)

We have modified the suggested letter on this matter to convey the following:

-- That we will withhold submission of the notifications until April 26.

-- That we do not wish to have the 30-day period coincide with a recess (the Memorial Day recess commences on May 27).

-- That you will be leaving for an extended trip and that it may not be possible to consult formally prior to April 26.

-- That you hope the Committee will accept your suggestion that a representative consult prior to the submission of the formal notification.

-- That, if you return prior to April 26, you will be pleased to meet with the Committee.

We recommend that you call Senator Javits and advise him that you are sending this letter. You might stress that the Saudis are quite sensitive about these delays and that we had informed them that April 26 (the latest date the Panama Canal treaty was to have been voted on) would be the latest submission date. In addition, you may wish to make the points about the Congressional recess referred to in your letter.

If Javits feels very strongly about this approach, we can then reconsider. Even if you are not able to consult with the Committee until May 1, the last practical day Congress can consider the proposal is May 26 since the recess starts on May 27. On the down side, it is likely that the opposition will argue for a withdrawal or an extension of time since the 30-day period would coincide with the recess.

Recommendation:

That you call Senator Javits and send the attached letter.

Approve _____ Disapprove _____

Attachments:

TAB 1 - Letter for signature

TAB 2 - Report of Committee's session

Drafted: H:JBAtwood:dp
4/11/78 x21048

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THE SECRETARY OF STATE

WASHINGTON

NEA

cc: (letter only)
BS
RA
LEG
ARP
IAI
HHS
NV

April 12, 1978

Dear Mr. Chairman:

Dist to:
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RF(leb)

You will recall that the President advised the Committee that he would submit the formal notifications on the proposed Middle East aircraft sales after the completion of the debate on the Panama Canal Treaty. The vote on that Treaty has now been scheduled for April 18. While there are compelling policy reasons to submit the notifications as soon as possible, we are aware that your sustained efforts to gain Senate approval of the Panama Canal Treaties have contributed to a backlog of Committee work. In an effort to continue our close cooperation with the Committee on this proposal, we will withhold submission of the notifications on the aircraft proposals until April 26.

As you know, we have tried to hold strictly to the principle that the 30-day period within which these controversial cases are considered should not coincide with a recess period. Therefore, I am sure you share my view that we should not delay submission of the formal notifications to the point where the period for their consideration would run into the Congress's Memorial Day recess starting on May 27. I am confident that you will agree that April 26 is the optimum date for this submission for both procedural and foreign policy reasons.

I will be leaving tomorrow for an extended trip to Africa and the Soviet Union and it may not be possible to consult formally with the Committee prior to April 26. Nevertheless, we have had the opportunity to discuss the question of timing on an informal basis both at the White House and in my meeting with you and other Committee Members last evening. I understand that our willingness to withhold the submission until April 26 will satisfy the altogether legitimate concerns you have about the Committee's workload. Since it is possible that I will

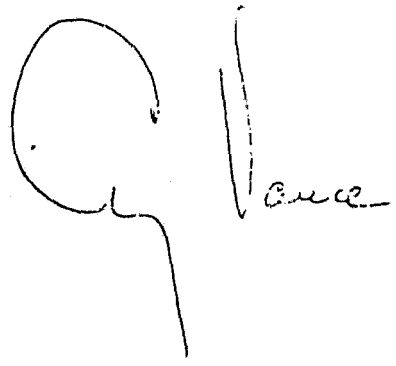
The Honorable
John Sparkman, Chairman,
Committee on Foreign Relations,
United States Senate.

not return to the country until April 28, I hope that you will accept my suggestion that I send a representative to consult with the Committee prior to the submission of the formal notification. If I am able to return prior to April 26, I will be pleased to meet with the Committee at that time.

We have understood fully the desire of Members of Congress to have adequate time to give careful consideration to the issues raised by this important proposal. It was for this reason that we have assured that Congress will have substantially more than 50 days normally provided for arms sales proposals.

Since the February 14 announcement of our intention to propose these sales to Israel, Egypt, and Saudi Arabia, the Administration has sought to provide your Committee with all the information necessary to assess this proposal. We have also provided detailed information to the General Accounting Office and to other interested Members of Congress. I feel confident that your Committee has received virtually all the information provided to policy makers within the Executive Branch. I am, of course, prepared to join other Administration witnesses in presenting testimony to your Committee upon request.

Sincerely,



Senate Foreign Relations Committee Meeting
April 11, Middle East Arms Package

Following the confirmation hearings, Senator Javits asked permission of the Chairman to raise a question concerning the Middle East arms package. Senator Javits said that during an earlier meeting with the Committee, Secretary Vance had made a commitment to the Committee that he would come up to discuss with them the full implications of the Middle East arms package, before sending the formal notification. He noted that the Secretary had not asked to be excused from this commitment. Javits said it was particularly important to him to have from the Secretary an assessment of the Middle East security situation before discussing the arms package. He said that assessment has not yet been received. At this point Norvill Jones mentioned that the White House had promised that this assessment would be available by the end of this week.

Senator Case intervened to say that he had met with the Secretary yesterday evening and had raised this issue. He said the Secretary explained that he felt the meeting with the Committee at the White House and last evening's meeting fit into the nature of consultations to which he had committed himself, and he offered to send his representative to meet with them before the formal notification is sent if they wished.

Senator Sparkman said the Secretary will be travelling during the next couple of weeks and he will appear before the Committee when he is in town.

At this point, Senator Javits added that the Secretary's commitment to meet before the formal notification was a commitment to the Committee, not just to Javits himself. Senator Case then said it was "a question of good faith" for the Secretary to keep his word to appear before the Committee, and not let this go by the board.

Senator Stone then spoke up to say that he understood that the Secretary would be back by the 28th. He said the Secretary is a very reasonable man who could not possibly object to delaying the submission of the letter of offer for a day or two days, since that was all we were talking about, in order to fulfill his commitment to the Committee to meet before the notification was sent. Stone suggested that the Chairman take this up with the Secretary.

The Chairman agreed to take this up with the Secretary, and the meeting adjourned.

H:RAFlaten/ezm